15:20 07/27/2004

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DATE:

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To:

THE OFFICE OF INITIAL PATENT EXAMINATION

FAX NUMBER: (703) 746-4060

305-416-4489

FROM:

Paul D. Bianco, Ph.D.

DIRECT TEL: 305-931-9620

FAX: 305-931-9627

REFERENCE: 782-A04-026

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MESSAGE:

PLEASE DELIVER THE FOLLOWING COMMUNICATION CONCERNING THE BELOW IDENTIFIED CASE TO THE OFFICE OF INITIAL PATENT EXAMINATION

In re application of: P. Bonutti et al.

Confirmation No.: 4865

Application No.: 10/797,685

Group Art Unit: 3731

Filed: March 9,2004

Attorney Docket No: 782-A04-026

METHOD AND DEVICE FOR SECURING BODY For:

TISSUE

- Response to Notice to File Missing Parts (2 pgs) 1.
- Copy of Notice to File Missing Parts (2 pgs) 2.
- Declaration (6 pgs)
- 3. Power of Attorney by Assignee w/ copy of Assignment (8 pgs)

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): P. Bonutti et al.

Confirmation No.: 4865

Application No.: 10/797,685

Group Art Unit: 3731

Filed: March 9, 2004

Examiner:

For: METHOD AND DEVICE FOR SECURING BODY

Attorney Docket No: 782-A04-026

TISSUE

REPLY TO NOTICE TO FILE MISSING PARTS OF NON-PROVISIONAL APPLICATION

Commissioner for Patents
Customer Service Center
Office of Initial Patent Examination Division
Alexandria, VA 22313-1450

Sir:

In response to the Notice to File Missing Parts of Non-Provisional Application dated May 27, 2004, a copy of which is attached, this Response is being filed within two month from the date of the Notice.

Accordingly, Applicants submit herewith the following: executed Declaration For Non-Provisional Patent Application; and Power of Attorney By Assignee (with copy of Assignment).

A fee of \$65,00 is believed to be due with this submission. Please charge the required fee (or credit any overpayments of fees) to the Deposit Account of the undersigned, Account No. 500601 (Docket no.782-A04-026).

Respectfully submitted,

Paul D. Bianco, Reg. #43,500

Enclosures

Customer Number: 33771

Paul D. Bianco

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APPLICATION NUMBER

FILING OR 371 (c) DATE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NUMBER

10/797.685

03/09/2004

Peter M. Bonutti

782-A04-026

Date Mailed: 05/27/2004

33771 PAUL D. BIANCO: FLEIT, KAIN, GIBBONS, GUTMAN, BONGINI, & BIANCO P.L. 601 BRICKELL KEY DRIVE, SUITE 404 MIAMI, FL 33131

CONFIRMATION NO. 4865 FORMALITIES LETTER *OC000000012800481*



NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing. A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$65 for a Small Entity

\$65 Late oath or declaration Surcharge.

Replies should be mailed to:

Mail Stop Missing Parts

Commissioner for Patents

P.O. Box 1450

Alexandria VA 22313-1450

A copy of this notice <u>MUST</u> be returned with the reply. 10797685

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Page 2 of 2

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PART 1 - A TTORNEY/APPLICANT COPY